

1 MR. BERRY: I have one.
 2 RECCROSS-EXAMINATION
 3 BY
 4 MR. BERRY:
 5 Q. Counsel brought up closure rules that the
 6 Commission has and you discussed the adverse
 7 travel portion of that closure rule; did you not?
 8 A. Yes.
 9 Q. I want to read a section of the closure
 10 rules and tell me if you aware of those: The
 11 Commission shall order the crossing closed if it
 12 meets the criteria set forth in sections D, F, G
 13 and I of this section or if under the provisions
 14 of Section 18(C)741 of the Illinois Commercial
 15 Transportation Law, the Commission finds based on
 16 the totality of evidence presented that public
 17 safety requires that crossing be closed and that
 18 public convenience served by the crossing in
 19 question is not such to justify its further
 20 retention.
 21 A. I don't believe I've ever read that
 22 section of the closing criteria.

363

1 Do you have another witness,
 2 Mr. Shumate?
 3 MR. SHUMATE: Yes, I'd like to call Rick Sturm
 4 now, if I could.
 5 ARICK STURMÁ,
 6 called as a witness herein, having been
 7 previously duly sworn, was examined and testified
 8 as follows:
 9 DIRECT EXAMINATION
 10 BY
 11 MR. SHUMATE:
 12 Q. Mr. Sturm, I remind you that you are under
 13 oath and that you have previously testified in
 14 this matter; is that correct?
 15 A. That's correct.
 16 Q. Now, you've brought with you some prints
 17 that have been marked for use at this hearing; is
 18 that correct?
 19 A. Yes, I have.
 20 Q. What are those prints?
 21 A. There's three prints here.
 22 Q. We do not have additional copies of these

365

1 Q. So, basically, what that section says is,
 2 we have this criteria set forth, D, F, G and I;
 3 however, if the Commission deems that it may not
 4 meet one or all of those conditions, it can still
 5 order the crossing closed?
 6 A. Yes. I've heard that before and that is
 7 my understanding.
 8 JUDGE TATE: Is this a question or a speech,
 9 Mr. Berry?
 10 MR. BERRY: It was meant to be a question.
 11 JUDGE TATE: I haven't heard the question yet.
 12 MR. BERRY: I'm sorry. I just wanted to be
 13 sure that he was aware because when he was
 14 talking he --
 15 JUDGE TATE: He's already testified that he's
 16 not familiar with the criteria as laid out in the
 17 Illinois Administrative Code.
 18 MR. BERRY: Okay.
 19 JUDGE TATE: Anything else?
 20 MR. SHUMATE: No, your Honor.
 21 MR. BERRY: No, your Honor.
 22 JUDGE TATE: Thank you very much, Mr. Andryuk.

364

1 prints at this time; is that correct?
 2 A. That's correct.
 3 MR. SHUMATE: Your Honor, to the extent any of
 4 them get into evidence, we would certainly make
 5 them available to every one.
 6 JUDGE TATE: Thank you.
 7 BY MR. SHUMATE:
 8 Q. What are these prints?
 9 A. Basically, there's -- by exhibits --
 10 Exhibit 7 is a conceptual plan for what I would
 11 call the east corridor to Geneva extending
 12 just -- the limits of it extend just east of Old
 13 Kirk Road, through the intersection of Kirk Road
 14 as you're going on Highway 38 and down to,
 15 probably, approximately, a thousand feet west of
 16 Kirk Road and 38.
 17 Q. And where did you get this document?
 18 A. These were given to me by McDonough &
 19 Associates, Incorporated, which is an engineering
 20 firm that is doing work with DuPage County, Kane
 21 County and the City of Geneva. On this corridor,
 22 basically, they're also tied in to the overhead

366

1 It's a -- nationally, it's a -- this
2 area is an area that train traffic slows down in
3 and it's very hard to move trains through the
4 Chicago area. It's one of the proposed grade
5 separations in the --
6 JUDGE TATE: I think the question was, What is
7 the stage of the planning?
8 MR. SHUMATE: Yes.
9 JUDGE TATE: Now, that is a time question.
10 THE WITNESS: It's preliminary.
11 BY MR. SHUMATE:
12 Q. Okay. Mr. Sturm, you indicated this is a
13 part of the Create Project, these bridges?
14 A. Yes.
15 Q. And the Create Project is a federally
16 funded state and city of Chicago project?
17 MS. DICKSON: Objection.
18 JUDGE TATE: That has nothing to do with this.
19 MR. SHUMATE: Your Honor, if I might rephrase
20 the question.
21 BY MR. SHUMATE:
22 Q. Is this an over-a-billion-dollar project

371

1 Q. It's less than a mile?
2 A. Yes.
3 Q. And there's two major bridges, then, that
4 will go over the Union Pacific Railroad?
5 MS. DICKSON: Objection.
6 BY MR. SHUMATE:
7 Q. Or underpasses?
8 MS. DICKSON: Relevance.
9 JUDGE TATE: This is preliminary planning. We
10 have no idea when it's going to start, probably
11 no idea when it's supposed to be finished. It
12 sounds like a wonderful plan but it's not what
13 we're here about.
14 BY MR. SHUMATE:
15 Q. Mr. Sturm, if the bridges that are
16 proposed on the various plans come into
17 existence, would it make the crossing at Old Kirk
18 Road even more redundant?
19 MS. DICKSON: Objection. Relevant.
20 MR. SHUMATE: It is truly relevant.
21 MS. DICKSON: How is whether there's a bridge
22 to the east of Old Kirk relevant to --

373

1 that --
2 JUDGE TATE: You're back on it again.
3 MR. SHUMATE: Yes, your Honor. I'm trying to
4 have show that --
5 JUDGE TATE: You're talking about a project
6 that Union Pacific is probably going to try to
7 carry out all over the country. We are concerned
8 only with this crossing in Geneva.
9 BY MR. SHUMATE:
10 Q. Mr. Sturm, is the Create Project just in
11 the collar counties and the city of Chicago?
12 JUDGE TATE: I don't care about anything with
13 the Create Project. Get off of it.
14 BY MR. SHUMATE:
15 Q. Will there be federal funding for these
16 two bridges?
17 MS. DICKSON: Objection. Again, your Honor,
18 this is all to the east, whether there are
19 bridges or no bridges have no relevance.
20 BY MR. SHUMATE:
21 Q. How far to the east is this Old Kirk Road?
22 A. Approximately seven-tenths of a mile.

372

1 MR. SHUMATE: It's not necessary for public
2 access.
3 MS. DICKSON: For the businesses that are
4 lying north of the crossing, the bridges that
5 there might be east of this have any relevance at
6 all.
7 MR. SHUMATE: Absolutely relevant.
8 JUDGE TATE: Not unless they're there and
9 they're not.
10 BY MR. SHUMATE:
11 Q. Okay. Mr. Sturm, you indicated that these
12 three documents that you brought today were
13 prepared -- they're preliminary in nature; is
14 that correct?
15 A. That's correct.
16 Q. And they're prepared by an engineering
17 firm and what was the name?
18 A. McDonough & Associates, Incorporated.
19 Q. And do you know who hired McDonough &
20 Associates, Incorporated?
21 A. They were retained for Roosevelt Road with
22 DuPage County. And for this project here,

374

1 I believe the record speaks that there's been --
2 scratch that.

3 As far as the accident history, I think
4 we talked about that in the previous hearing. In
5 the present year, we do have numerous broken
6 gates at this crossing. Engineers have --

7 MS. DICKSON: Objection. This is the first
8 time we've heard any evidence at all about broken
9 gates at this crossing. If there's going to be
10 testimony to that, then all of those reports
11 should be tendered to this proceeding.

12 MR. SHUMATE: You can ask for them if you want
13 them.

14 JUDGE TATE: I don't want them. I don't want
15 them as a part of the record.

16 MS. DICKSON: I object.

17 JUDGE TATE: What do broken gates have to do
18 with the reasons for closing or not closing this
19 crossing? Vandalism was never brought up by
20 Petitioner.

21 MR. SHUMATE: We're not suggesting vandalism,
22 your Honor. I'll do it on redirect.

379

1 this proceeding before.

2 MR. SHUMATE: I don't know that that is the
3 correct answer, your Honor. I'd have to look at
4 the testimony. But I would believe that
5 Mr. Linneman would have mentioned that, with
6 regard to gate repairs; but I could be wrong.

7 I have no further questions, your Honor,
8 for Mr. Sturm.

9 JUDGE TATE: Miss Dickson?

10 CROSS-EXAMINATION

11 BY

12 MS. DICKSON:

13 Q. Mr. Sturm, how many at-grade crossings are
14 in the Metra territory that you testified having
15 knowledge to?

16 A. 200. I have approximately 200.

17 Q. Have there been accidents at any of those
18 other 200 at-grade crossings?

19 A. Yes.

20 Q. Are those at-grade crossings signalized?

21 A. Yes.

22 Q. And is visibility good at those at-grade

381

1 MS. DICKSON: You're on direct.

2 MR. SHUMATE: I'm off.

3 MS. DICKSON: No, I'm not. This is still your
4 direct.

5 MR. SHUMATE: Oh, I apologize.

6 BY MR. SHUMATE:

7 Q. Mr. Sturm, you indicated that there were
8 broken gates. Why are there broken gates?

9 JUDGE TATE: No. I just said that I didn't
10 want to hear about the broken gates.

11 BY MR. SHUMATE:

12 Q. Mr. Sturm, do gates get broken when cars
13 drive around them?

14 JUDGE TATE: Oh, my goodness, we're back to
15 the broken gates again. Are broken gates one of
16 the reasons for closing this crossing?

17 MR. SHUMATE: If people are driving around the
18 gates, yes, your Honor.

19 JUDGE TATE: People drive around gates all the
20 time.

21 MR. SHUMATE: And it's against the law.

22 JUDGE TATE: This has never been brought up in

380

1 crossing?

2 A. Most of them. Most of them have good
3 visibility.

4 Q. Where there have been accidents at those
5 at-grade crossings which have good visibility and
6 signalization, has the Union Pacific sought to
7 close those at-grade crossing?

8 A. Some of them we have.

9 Q. Okay. Now, compared -- and has the UP
10 been successful in closing those at-grade
11 crossing?

12 A. Some of them we have.

13 Q. Has there been accident history at this
14 at-grade crossing?

15 A. I'd have to refer back to previous
16 testimony.

17 Q. Are you aware of any previous testimony
18 that there was any accident history?

19 A. I seem to recall a fatality at this
20 crossing.

21 MS. DICKSON: We'd like the opportunity to
22 call Mr. Sturm on -- when we have our case, your

382

1 you can refer to?

2 A. Yes, I do.

3 Q. And could you summarize what that plan is?

4 A. The application requests annexation to the

5 City of Geneva, rezoning of the property and the

6 establishment of a planned unit development and

7 preliminary planned unit development plan

8 approval. The subject realty consists of

9 approximately 32 acres. The subject realty

10 flanks -- excuse me, involves the southwest and

11 southeast corners of the intersection of New Kirk

12 and 38 and then extends further east to encompass

13 a tract of land that would be located off the

14 southeast corner of Route 38 and Old Kirk.

15 The plan encompasses a mixed use

16 development that is proposed incorporating

17 commercial, office and industrial uses, as well

18 as a commercial and residential component.

19 Q. When was this application filed with the

20 City of Geneva?

21 A. It was tendered to the City on

22 October 1st, 2003.

387

1 BY MR. SHUMATE:

2 Q. This plan that's been submitted and it

3 will have to go through several boards and votes

4 before it would be finally adopted by the City;

5 is that correct?

6 A. That is correct.

7 Q. It would have to go before a plan

8 commission?

9 A. Yes.

10 Q. Would it then have to go before a zoning

11 board?

12 A. The plan commission serves as the zoning

13 entity.

14 Q. So it's combined?

15 A. That's correct.

16 Q. And then after it goes through those two

17 hurdles then it would go before the -- is it the

18 board of trustees or is it the alderman?

19 A. It would be the City Council first at the

20 committee level. The committee as a whole and

21 the City Council would receive the recommendation

22 of the plan commission and then the matter would

389

1 Q. And prior to that filing, were there any

2 other discussions with this -- either the staff

3 or governmental officials in the City of Geneva

4 with regard to what's been referred to as the

5 Geneva East Gateway?

6 A. Yes. There were staff level discussions

7 with the representative of the applicants in the

8 application. And those discussions, I believe,

9 started in the late spring, maybe early summer of

10 2003.

11 Q. As proposed, does the plan meet the zoning

12 requirements of the City of Geneva?

13 MS. DICKSON: Objection. Relevance.

14 MR. SHUMATE: The relevance is whether the

15 plan can go forward and if it goes forward then

16 the public roads would be part of that which

17 would --

18 JUDGE TATE: Well, it was my understanding

19 that the application requests annexation and

20 rezoning.

21 THE WITNESS: That is correct.

22 MR. SHUMATE: Let me back up, then.

388

1 be taken up for action by the City Council.

2 Q. Okay. So right now it is a proposal from

3 a developer; is that correct?

4 A. That is correct.

5 Q. And it's a -- part of that would be a

6 potential for annexation into the City of Geneva;

7 correct?

8 A. That's correct.

9 Q. And the City of Geneva, you've testified,

10 already does have some property this far east

11 with regards to its boundaries, that being the

12 railroad right-of-way; is that correct?

13 A. Yes.

14 Q. With regard to this proposal, you would

15 characterize it as a preliminary plan; is that

16 correct?

17 A. Yes.

18 Q. And does it have, as part of the plan, any

19 modification to Old Kirk Road?

20 MS. DICKSON: Objection to the line of

21 questioning relative to this plan. We've got

22 testimony -- it's preliminary, we've had

390

1 A. The city has adopted a comprehensive plan
2 for the entire city and that comprehensive plan
3 designates various parcels of land in the
4 vicinity of the subject parcel for land uses.

5 Q. Does this proposal fit with the
6 comprehensive plan of the City of Geneva?

7 MS. DICKSON: Objection. Relevance.

8 MR. SHUMATE: It's clearly relevant if it fits
9 with their proposal for their plan of their town,
10 whether this would ever have a chance of coming
11 to fruition.

12 MS. DICKSON: Well, we won't know whether it
13 comes to fruition or not until the City Council
14 approves it.

15 MR. SHUMATE: Yes, but we can understand
16 whether it complies with their City's -- what did
17 you call the plan?

18 THE WITNESS: Comprehensive plan.

19 JUDGE TATE: Objection sustained.

20 BY MR. SHUMATE:

21 Q. Did you bring any other documentation with
22 you?

395

1 where it currently intersects with Route 38.

2 Q. Was there any traffic signalization
3 proposed with Mr. Coulter's analysis?

4 A. Mr. Colter's analysis examines two
5 alternatives in the vicinity of Route 38 east of
6 New Kirk -- excuse me, the potential for a signal
7 at Old Kirk and the potential for a signal at Elm
8 Road, which is a thousand feet to the east.

9 Q. When you say "a thousand feet to the
10 east," a thousand feet of -- from Old Kirk Road?

11 A. Correct.

12 Q. Did Mr. Coulter have any other accesses
13 proposed onto Roosevelt Road?

14 MS. DICKSON: Objection. Relevance of
15 these -- of Brent Coulter's proposed access
16 routes to Route 38 as being contained as part of
17 a development that's being proposed to the City
18 of Geneva.

19 MR. SHUMATE: Mr. Coulter was the expert
20 witness of the Township and he testified with
21 regard to a signalization and the possibility of
22 it at Old Kirk Road and that there was no

397

1 A. I do have one other document. I also have
2 what has been submitted -- what has been
3 submitted with the application. It is an access
4 and traffic analysis prepared for the application
5 by Brent Coulter.

6 Q. And who is Brent Coulter?

7 A. He is a traffic engineer with Cemcom,
8 Limited (phonetic).

9 MR. SHUMATE: Let the record show that I
10 believe Mr. Brent Coulter has testified in this
11 on behalf of the Township in his capacity as an
12 expert on traffic count.

13 MS. DICKSON: I concur with that.

14 JUDGE TATE: Yes, that's true.

15 BY MR. SHUMATE:

16 Q. So this again is just part of the
17 application from the developer?

18 A. That is correct.

19 Q. As part of the application, was there any
20 reconfiguration of Old Kirk Road?

21 A. As a part of the application, yes. Old
22 Kirk Road is shown shifted slightly to the east

396

1 accesses elsewhere onto Roosevelt Road to the
2 west of Kirk Road. And now we have a traffic
3 plan which he put together which has proposals to
4 form accesses to Roosevelt Road west of Kirk
5 Road.

6 JUDGE TATE: And when is the public going to
7 have access by this road?

8 MR. SHUMATE: That would be up to the City of
9 Geneva whether it passes it or not.

10 JUDGE TATE: All right. Sustained.

11 BY MR. SHUMATE:

12 Q. Is there a time frame that this particular
13 proposal from this developer has before there
14 would be a potential for an annexation based on
15 your experience?

16 A. The time frame for City action on this
17 matter is, at this point, uncertain. The -- one
18 of the critical elements of the City's
19 consideration of this proposal is one of the
20 access that would be granted by IDOT and KDOT to
21 the site and this plan -- as I understand it,
22 this plan may change depending on the nature of

398

1 months or else out?

2 JUDGE TATE: Anything else?

3 Mr. Shumate?

4 MR. SHUMATE: No. At in point, your Honor,

5 what we'd ask to do is that the exhibits -- the

6 tape, which has been marked as Petitioner's

7 Exhibit 3 and that the newspaper article, which

8 has been marked as Petitioner's Exhibit 4 and the

9 one City of Geneva print that was brought into

10 our discussion, that's Petitioner's -- it's

11 City's Exhibit No. 1 and that those would be

12 entered into evidence.

13 I will not tender the general documents

14 that Mr. Sturm had referenced with regard to

15 general development along Route 38, nor the

16 documents that have been -- the other documents

17 that have been brought by the City of Geneva

18 because they are speculative in nature, they are

19 proposals and based your rulings, I would not

20 assume that they would be entered into evidence

21 included --

22 MR. BERRY: What about the tape?

403

1 to have this Eastern Gateway, but it's --

2 JUDGE TATE: We'll just keep it handy and

3 decide later what to do with it.

4 Any objection to the admission of UP's

5 Exhibits 3, 4 and City's No. 1?

6 MS. DICKSON: With respect to your Honor's

7 previous ruling relative to the admission of new

8 evidence, while I respect the ruling, I would,

9 for the record, make an objection to the new

10 evidence coming in; but understand that the Court

11 has previously allowed such evidence.

12 JUDGE TATE: Petitioner's Exhibits 3 and 4 and

13 City of Geneva Exhibit 1 are admitted into

14 evidence.

15 (Whereupon, Petitioner's

16 Exhibit No. 3 and 4 were

17 admitted into evidence as

18 of this date.)

19 (Whereupon, City of Geneva

20 Exhibit No. 1 was

21 admitted into evidence as

22 of this date.)

405

1 JUDGE TATE: He mentioned the tape.

2 MR. SHUMATE: I did the tape first so I'd

3 offer that, your Honor.

4 JUDGE TATE: You're offering 3 through 7?

5 MS. DICKSON: No.

6 JUDGE TATE: Which did you leave off?

7 MR. SHUMATE: I included the -- I'll do it

8 again. The tape which is No. 3.

9 JUDGE TATE: The newspaper article.

10 MR. SHUMATE: The newspaper article, which is

11 No. 4, the one print from the City, which is City

12 No. 1 and.

13 JUDGE TATE: 5, 6 and 7, you haven't mentioned

14 those.

15 MS. DICKSON: He's not seeking to admit those.

16 MR. SHUMATE: No. I wasn't seeking to admit

17 those.

18 JUDGE TATE: Okay. That's what I'm asking

19 you.

20 MR. SHUMATE: Other than if you would want

21 this for your comments, I would -- that would be

22 acceptable, certainly to the Railroad if you want

404

1 JUDGE TATE: Miss Dickson?

2 MS. DICKSON: Your Honor, at this time, I

3 would respectfully request the opportunity to

4 review the testimony that was presented this

5 morning with my client, Mr. Carlson, and with our

6 other witnesses that we have present to determine

7 whether we do have, in fact, need any testimony

8 to come in to offset or counter any of the

9 evidence and also to allow Mr. Sturm the

10 opportunity to review the prior testimony that's

11 been given so that he can determine whether the

12 answer relative to accident history is correct.

13 And I would ask for a short period of time in

14 which to do that; and, certainly, if I won't need

15 any time to do so, I would notify the -- notify

16 you and Mr. Shumate.

17 MR. SHUMATE: I have no objection to that,

18 your Honor, but I would also add to it that in a

19 discussion with the City of Geneva officials

20 yesterday, they indicated that they may want to

21 come before you at a future date. I told them

22 that I thought that this case would not end today

406

1

1 [8] 3:17 47:17 101:21 113:11
 114:12 115:5,13,20
 1.18 [1] 70:10
 1.2 [3] 69:16 70:9,11
 10 [2] 7:14 13:11
 10:00 [1] 118:1
 101 [1] 4:19
 12th [3] 30:10 33:14 102:10
 16-wheeler [2] 62:20 63:5
 16th [1] 69:22
 174 [1] 4:13
 18(c)741 [1] 73:14
 1920 [1] 4:20
 1st [1] 97:22

2

200 [3] 91:16,16,18
 2001 [1] 11:9
 2003 [3] 30:10 97:22 98:10
 2004 [3] 1:13 118:4,7
 203 [1] 5:2
 22 [1] 44:6
 232 [1] 112:4
 24 [1] 16:19
 25 [2] 20:4,5
 28 [2] 1:13 21:12
 294 [2] 3:11,14

3

3 [8] 31:9 113:7 114:4,8 115:5,
 12,16 118:7
 3-7 [1] 4:2
 306 [1] 3:3
 32 [1] 97:9
 326 [1] 3:3
 33.75 [1] 4:13
 337 [1] 3:17
 349 [1] 3:3
 355 [1] 3:3
 363 [1] 3:3
 365 [1] 3:4
 365-degree [1] 20:7
 38 [4] 23:6 28:13 29:18 30:1 31:
 12,19 33:4 34:7,11 37:17 42:16
 48:22 49:10,14 50:14 54:2,6,12,
 14,18 55:1,2,14 56:4 58:9,22
 59:7,9 72:15 76:14,16 77:1,9
 78:17 87:6 97:12,14 107:1,5,16
 109:3 113:15
 381 [1] 3:4
 384 [1] 3:5
 3rd [2] 117:16 118:4

4

4 [9] 3:11 30:7 31:9 71:15 113:8
 114:11 115:5,12,16
 40 [1] 60:7
 400 [1] 3:5
 405 [2] 3:11,17

5

5 [3] 31:9 78:11,12,13 114:13
 527 [2] 2:2 5:9

6

6 [12] 3:14 20:12 23:16 31:7,9 66:

15,18 77:21,22 78:1 85:22 114:
 13
 60 [1] 60:7
 60134 [1] 44:7
 60187 [2] 1:22 5:3
 60606 [2] 1:19 4:20
 62701 [1] 5:10

7

7 [7] 31:7,10 76:10 77:17 78:3
 114:4,13
 700 [4] 20:13 23:16 66:15,18

8

850 [1] 111:16
 8th [1] 102:9

9

9:00 [6] 1:14 117:22 118:2,3,4,8
 900 [1] 111:16
 986h [1] 4:13

A

a-n-d-r-y-u-k [1] 16:10
 a.m [3] 1:14 118:4,8
 able [2] 14:17 40:3
 ably [1] 13:15
 above [2] 31:7,9
 above-entitled [1] 118:6
 absolutely [2] 84:7 109:6
 acceptable [1] 114:22
 accepting [1] 29:11
 access [28] 24:8 25:4,8 26:11
 27:7 28:8 34:22 36:7,17 37:6,8
 39:14 40:2,21 43:2 44:10 53:9
 56:10,12 84:2 87:9 106:3 107:
 15 108:7,20 109:1,3,11
 accesses [4] 21:16 107:12 108:
 1,4
 accessway [1] 40:16
 accident [8] 52:21 53:1,5 65:18,
 20 89:3 92:13,18 116:12
 accidents [2] 91:17 92:4
 accommodate [1] 28:7
 accordance [1] 4:5
 accuracy [1] 33:18
 acknowledged [1] 61:3
 acquisition [3] 42:7 50:3,8
 acres [1] 97:9
 across [3] 40:22 69:8 70:5
 action [2] 100:1 108:16
 actual [1] 50:1
 actually [4] 39:20 40:20 46:22
 70:10
 add [2] 10:6 116:18
 added [2] 10:16 79:2
 addition [2] 31:18 88:19
 additional [15] 8:19,21 9:16 11:
 17 12:2,5,12,13,17,19 14:18 32:
 1 52:10 75:22 111:11
 additionally [1] 12:22
 address [1] 5:9
 adduced [1] 53:16
 adequate [3] 27:18,19 66:6
 adick [1] 94:1
 administration [1] 67:5
 administrative [3] 1:16 13:21
 74:17

admission [2] 115:4,7
 admit [2] 114:15,16
 admitted [3] 115:13,17,21
 adopted [2] 99:4 105:1
 adverse [9] 18:14 68:21 69:4,5,
 14,15 71:14,16 73:6
 adversely [1] 57:10
 advertised [1] 102:7
 affect [1] 111:1
 agent [1] 16:20
 ago [2] 13:7 18:6
 agreeable [1] 79:12
 ahead [1] 20:20
 aimed [1] 110:22
 alderman [1] 99:18
 alignment [9] 49:15 50:4,9,11,
 18 51:5,13 59:20 60:11
 allegation [1] 7:17
 alleged [1] 13:19
 alleges [1] 14:4
 alleging [1] 7:14
 allocated [1] 61:3
 allow [8] 10:8 11:10 27:7 42:20
 50:22 55:13 116:9 117:14
 allowed [5] 11:18 12:15 43:19
 72:13 115:11
 allowing [1] 10:3
 almost [1] 11:2
 already [3] 9:8 74:15 100:10
 alternative [6] 28:20 63:1,4 79:
 11 88:21,21
 alternatives [1] 107:5
 although [1] 70:7
 ample [1] 27:20
 analysis [4] 44:10 106:4 107:3,
 4
 andryuk [24] 3:3 5:13 10:11 15:
 15 16:10 19:6 25:9 26:4 29:8
 33:2 35:9 36:4 43:18 44:1,13,
 21 45:19 46:21 47:21 59:20 65:
 8 72:22 74:22 88:14
 andryuk's [1] 43:5
 andryuká [1] 16:1
 annexation [4] 97:4 98:19 100:
 6 108:14
 annexed [1] 15:10
 another [9] 21:4,20 24:11 31:19
 67:19 75:1 79:14,20 93:19
 answer [8] 29:14 48:17 51:8 63:
 21 91:3 116:12
 apologize [2] 70:3 90:5
 apparently [1] 51:11
 appear [3] 11:9 30:7,12
 appearance [1] 7:2
 appearances [2] 1:17 4:16
 appeared [3] 7:4 96:9 110:9
 appearing [2] 2:3 5:3
 appears [1] 27:3
 applicant [2] 103:4,21
 applicant's [1] 103:16
 applicants [1] 98:7
 application [18] 7:15,21 13:11,
 19 14:3,4,6 96:17 97:4,19 98:8,
 19 103:2 106:3,4,17,19,21
 applications [1] 14:1
 apply [1] 8:6

applying [2] 104:7,10
 appreciate [2] 109:18,20
 approaches [2] 23:10 49:8
 approaching [2] 22:20 111:16
 appropriate [3] 54:3 58:20 61:7
 approval [2] 48:22 97:8
 approved [4] 42:2 58:19 61:7
 101:5
 approves [1] 105:14
 approximate [1] 31:3
 approximately [12] 18:6 19:1
 27:14 59:22 60:1,7 70:9,10 76:
 15 82:22 91:16 97:9
 approximation [1] 60:3
 architectural [1] 47:3
 area [29] 18:8,17 19:8,11 20:18
 21:2,9 22:20 24:4 32:8,18 34:
 10,14 35:5 37:3 46:4 49:5 57:
 12 61:20 62:5 63:7 64:10 80:18,
 22 81:2,2,4 95:15 111:20
 areas [1] 57:1
 aren't [1] 43:19
 argument [1] 8:4
 arick [1] 75:5
 around [10] 21:22 24:21 35:3 38:
 9,14 39:3 57:6 90:13,17,19
 article [17] 29:19 30:2,3,13,15
 31:18 33:13,18 35:6 39:10 40:
 13 96:9,11 110:9 113:7 114:9,
 10
 asks [1] 9:22
 associated [1] 44:15
 associates [4] 5:2 76:19 84:18,
 20
 assume [2] 66:18 113:20
 at-grade [18] 13:13 53:10,13 67:
 22 69:9 79:18 87:20 88:4,7,12
 91:13,18,20,22 92:5,7,10,14
 athomas [1] 16:1
 attached [2] 11:14 12:19
 attempted [1] 9:1
 attempting [3] 66:3 67:21 86:
 12
 attend [1] 7:1
 attention [3] 10:14 13:3 32:9
 attorney [2] 4:18 46:2
 authorities [1] 58:20
 authority [1] 61:8
 available [3] 43:20 72:12 76:5
 avenue [2] 2:2 5:10
 aware [23] 28:11,20 29:16 39:17,
 19 50:6,12 52:20 53:15,22 54:8,
 10,12,21 55:3,6 56:8 62:11 65:
 18 66:11 73:10 74:13 92:17
 away [2] 58:2,3

B

b-o-n-d [1] 5:1
 back [9] 20:18 23:16 62:2,9 71:
 6 82:2 90:14 92:15 98:22
 barren [1] 37:7
 barriers [1] 59:5
 barry's [2] 14:12 58:12
 based [13] 7:21 33:13 40:17 50:
 15,19 53:4 54:18 66:13 73:15
 86:17 95:6 108:14 113:19
 basic [1] 48:6

country [1] 82:7 county [17] 1:11 4:15 22:8,9,11 24:19 49:3 54:20 76:20,21 77: 12 84:22 85:2 87:1,2 95:18 101: 15 couple [4] 23:22 29:20 61:18 65: 9 couples [2] 110:22 112:7 court [8] 8:20 10:20 13:9 19:7, 15,20 24:2 115:10 create [5] 80:18 81:13,15 82:10, 13 criteria [18] 50:20 51:6,7,13 63: 16 68:13,17,19,22 69:1,2,4 71:3, 13 73:12,22 74:2,16 critical [1] 108:18 cross [2] 3:2,2 cross-examination [3] 36:1 57:19 91:10 cross-examine [1] 43:20 crosses [2] 22:20 78:18 crossing [98] 1:9 4:12 6:9,13 9: 7,14 10:22 13:1,14 17:17,18 18: 15 20:5,17 21:6 22:3,22 23:21 32:14,20 40:4,8,10,15 52:10,17, 22 53:2,4,10,13 54:1,2 55:20 57:13 58:6 62:6 63:2 64:5,11 65:14,18,19,22 66:2,3,7,8,9,12, 20 67:3,10,15,22 68:7,11,14 69: 6,7,8,9,11 70:1,5,16,17 71:5,9, 17 73:11,17,18 74:5 79:18,18 80:4 82:8 83:17 84:4 88:7,12, 16,18,20,22 89:6,9,19 90:16 92: 1,7,11,14,20 94:21 crossings [7] 87:15,19 88:4 91: 13,18,20 92:5 csr [1] 2:22 curb [1] 37:15 current [11] 17:1,11 34:8 49:6, 12 51:5 60:10,16 64:11 104:8, 14 currently [18] 16:11 26:14 27:3 33:2,4 40:1,7 41:10,14 52:3,4 56:5 59:4 64:22 87:6 94:13 107: 1 111:21	depending [1] 108:22 depicted [3] 31:20 35:5 58:10 design [9] 45:19 48:2,7,8 59:5 60:13,15,17 101:21 designate [1] 42:20 designates [1] 105:3 designed [3] 38:10 39:6 51:14 desire [1] 88:17 desired [2] 7:2 26:10 detail [2] 78:6,7 detailed [1] 78:2 details [1] 59:4 determination [1] 69:17 determine [8] 8:9 38:19 93:3 116:6,11 determining [1] 63:17 develope [1] 112:12 developed [1] 34:15 developer [11] 44:9 45:20 94: 17 100:3 101:2 103:1,3 104:4, 20 106:17 108:13 developers [2] 103:2 112:11 developing [1] 110:15 development [26] 20:16 29:21 32:17 34:9 36:9,14 39:12 41:1, 22 44:6,11,16 52:11,13,16 94: 17 96:18 97:6,7,16 107:17 110: 13,22 111:8,10 113:15 device [1] 18:16 dick [7] 3:5 5:14 10:10 44:4,5 93:21 94:10 dickson [70] 1:21 4:22,22 5:1 7: 7 9:19,21 13:10 14:14,20 28:14 29:2,12 33:20 35:21,22 36:3 38: 12 43:3,17 44:18 45:2 46:20 47: 9,12,15,20 48:20 57:15 65:9,12 72:3,18,19 81:17 82:17 83:5,8, 19,21 84:3 86:5 87:21 89:7,16 90:1,3 91:9,12 92:21 93:7 98: 13 100:20 104:6 105:7,12 106: 13 107:14 109:22 110:1 114:5, 15 115:6 116:1,2 117:4,5,12,15 118:2 dictate [1] 20:1 difference [1] 6:19 different [2] 49:12 101:4 difficult [2] 111:3,5 difficulty [1] 50:20 direct [7] 3:2,2 16:5 75:9 90:1,4 94:5 direction [4] 20:8 26:12 55:15 66:5 directly [1] 69:8 director [1] 44:5 dirt [1] 24:10 disagree [1] 72:7 discover [1] 11:3 discovered [1] 32:12 discuss [1] 44:1 discussed [3] 40:13 41:13 73:6 discussion [9] 50:16 56:11 86: 21 113:10 116:19 discussions [3] 98:2,6,8 distance [14] 18:14 22:12,22 68: 21 69:4,5,10,14,15 71:4,6,14,16 95:17	distances [4] 18:13 70:8 71:11 72:10 district [2] 111:7,13 division [2] 5:8 101:16 docket [1] 4:7 document [11] 44:8 47:21 48: 13 76:17 77:20 78:4,9,11 102: 19 103:14 106:1 documentation [4] 9:1 11:15 34:5 105:21 documents [14] 24:6 45:5 46:1, 2,6,7,14,17 84:12 101:22 103: 13 113:13,16,16 doing [1] 76:20 donahue [3] 110:14,20 112:10 done [2] 18:6 51:17 dot [1] 4:12 double-main [1] 70:2 down [12] 19:21 20:13 22:15,17 23:22 24:3 25:1,4 39:2 76:14 81:2 112:1 drafted [1] 85:16 drawing [4] 32:2 38:17,19 60:5 drive [4] 4:19 5:2 90:13,19 driveway [1] 27:7 driving [3] 20:19 27:19 90:17 drove [1] 18:4 duly [3] 16:3 75:7 94:3 dupage [3] 76:20 77:11 84:22 during [2] 32:6 33:18 duties [1] 17:11	ending [1] 9:7 ends [1] 39:8 engendered [1] 52:13 engineer [5] 16:21 34:12 48:1 57:2 106:7 engineering [10] 16:15 17:2,3 34:21 45:10 47:7 76:19 84:16 87:15 103:13 engineers [3] 54:20,20 89:6 enough [2] 14:11 72:16 enter [2] 29:3 56:4 entered [2] 113:12,20 entire [2] 6:14 105:2 entities [1] 48:6 entity [2] 99:13 110:15 entrance [1] 31:19 especially [1] 9:10 essentially [1] 78:4 establishment [3] 33:8 63:11 97:6 even [3] 41:17 83:18 101:4 event [1] 109:3 events [3] 22:8 25:3 54:5 eventually [1] 31:11 everything [1] 20:2 evidence [38] 3:8 6:4 7:20 8:1,3, 5,8,10,19,21 10:2,2,7 11:5,10, 16,17 13:17 20:3 29:3,5,9,11 68:18 71:21 73:16 76:4 89:8 109:19 113:12,20 115:8,10,11, 14,17,21 116:9 evidenced [1] 32:7 evidences [1] 86:9 exactly [2] 39:5,7 examination [5] 16:5 59:17 75: 9 94:5 110:5 examined [5] 16:3 46:9,10 75:7 94:3 examiner [1] 3:2 examines [1] 107:4 excuse [7] 12:9 25:17 32:14 67: 6 96:2 97:10 107:6 exhibit [20] 4:2 30:6 47:10,17 76:10 77:17,21,22 78:1,3,11,12, 13 85:22 113:7,8,11 115:13,16, 20 exhibits [4] 76:9 113:5 115:5,12 existed [2] 13:6,6 existence [1] 83:17 existing [1] 39:4 exit [4] 28:20 56:4,16,17 exits [1] 25:3 expect [1] 63:5 experience [2] 16:16 108:15 expert [2] 106:12 107:19 extend [4] 28:11 29:16 76:12 103:12 extended [2] 37:1 112:1 extending [2] 76:11 77:6 extends [4] 77:5 95:15,16 97:12 extension [3] 36:8,21 37:11 extent [3] 61:14 76:3 111:10
D			
d-1 [1] 41:5 d-i-c-k [1] 94:12 d-i-c-k-s-o-n [2] 4:22 5:1 daily [4] 30:8 33:14 63:7 96:10 data [1] 55:5 date [5] 4:4 47:19 115:18,22 116:21 day [3] 30:9 66:15,18 dead-ends [4] 24:15 37:14 38:1, 21 december [3] 29:20 30:10 33: 14 decide [1] 115:3 dedicated [2] 26:21 27:2 deemed [1] 51:1 deems [1] 74:3 definitely [2] 9:5 13:2 delivery [1] 117:9 department [9] 1:6 4:9 17:3 34: 21 49:2 50:21 59:12 61:2 77:13	E		
	each [1] 68:18 earlier [3] 15:8 102:20 103:14 early [1] 98:9 east [50] 2:2 5:2,9 20:9 22:19 25: 15 26:11 32:4 35:8 47:6 49:16, 18,19 51:2 54:13 55:7 56:18 58: 2,9 59:8,22 60:2,2 63:13,15 76: 11,12 77:4,6 79:2,4,17 80:7 82: 18,21 83:22 84:5 85:19 95:18 97:12 98:5 100:10 106:22 107: 5,8,10 109:8,11 111:9,14 east/west [3] 40:21 41:5,6 eastbound [3] 23:14,15,15 easterly [1] 58:7 eastern [3] 104:22 111:20 115:1 eastward [1] 25:1 easy [1] 88:21 effect [1] 56:14 egress [4] 28:21 40:5 54:4 87: 11 either [5] 13:8 39:1 66:5 98:2 112:14 elementary [4] 111:14,15,16,17 elements [1] 108:18 elm [2] 57:4 107:7 elsewhere [1] 108:1 employed [3] 16:11,18 94:14 employee [1] 56:15 employees [1] 57:12 empty [1] 112:14 encompass [2] 95:14 97:12 encompasses [1] 97:15 end [5] 16:21 25:9 39:8 116:22 117:12		
	F		
	fabian [1] 112:1 faces [1] 111:13 facilities [3] 25:7 54:4 62:16		

job [1] 17:1
jog [2] 58:7 60:2
john [2] 5:4 47:12
jr [1] 1:18
judge [94] 1:16 4:5 5:6,11,13,16,
 20 7:6,7 8:13 9:20 13:10 15:2,
 13 19:13,16,20 22:3 23:1 25:19
 29:1,2,11 34:1 35:21 38:9 43:3,
 6,11,14 44:3 45:14 46:5,16 47:
 11,14 57:16,17 59:15 65:7 72:
 16,21 74:8,11,15,19,22 76:6 81:
 6,9,18 82:2,5,12 83:9 84:8 86:4
 87:3 88:2 89:14,17 90:9,14,19,
 22 91:9 93:6,9,12,15,18 98:18
 104:15 105:19 106:14 108:6,10
 109:22 110:3,7 113:2 114:1,4,6,
 9,13,18 115:2,12 116:1 117:3,
 16,20 118:3
june [1] 1:16
jurisdiction [2] 59:11 96:5
justify [1] 73:19

K

kane [13] 4:15 22:8,9,11 24:19
 49:3 54:20 76:20 77:11 85:1 87:
 1,2 101:15
kane/dupage [1] 95:18
kautz [1] 77:1 79:9,10,13 111:22,
 22
kdots [1] 101:15 108:20 109:1
keep [1] 115:2
keeping [1] 112:13
kirk [162] 4:12 6:10,17 13:13 15:
 11 17:7,8 18:15 20:11,12,21,22
 21:16,18,22 22:1,5,5,6,7,16,17,
 22 23:1,5,17 24:22 25:4 26:5,
 15 27:7,12 29:22 30:22,22 31:
 14,16 32:3,6,10,13 33:3,9 34:6,
 11,17,18 35:1,3 36:7,8,13,13,15,
 16,22 40:14,21 41:7,7 42:15 47:
 2 48:12,21 49:7,13,20 50:4,11,
 13,18 51:4,15 52:3,6,21 53:7
 54:11,18,22 55:2,10,11,12,14,
 16 56:6,10 57:8 58:1,3,4,8,21
 59:21 60:3,10,13 61:15 63:2,10
 64:6,11 65:1 67:12,17 70:6,22
 71:8,10 72:1,15 76:13,13,16 77:
 4,6 78:21,22 79:2,4,19 80:4,7
 82:21 83:17,22 85:4,5,6,16,17,
 18 86:8,14,15 87:5 88:16 95:1,
 16,20 97:11,14 100:19 101:13
 106:20,22 107:6,7,10,22 108:2,
 4 109:8,9,10,10,12,15,15,17
 111:22
knowing [1] 39:5
knowledge [12] 10:21 11:7 26:
 20 33:7 37:5 51:22 53:15 54:16
 61:6 62:5 69:14 91:15

L

labeled [1] 102:16
laid [2] 57:9 74:16
land [12] 6:16,16 20:10 37:7 42:
 6 50:3,8 97:13 105:3,4 110:13
 111:21
lands [1] 111:8
lane [1] 21:15,17,19 22:10,14,

15 24:18,22 25:2 55:9 70:5,6,
 19 71:5,5
lannard [1] 102:16
large [1] 111:17
larger [2] 27:21 102:18
last [1] 10:9,20 12:1 16:19 18:2,
 7,12 24:17 29:6 66:13 93:20
late [1] 98:9
later [1] 115:3
latest [3] 78:15 79:10 80:15
law [3] 1:16 73:15 90:21
laws [1] 104:14
lay [1] 20:10
lead [2] 30:13 32:3
leads [1] 66:19
learned [1] 6:8
least [2] 11:9 43:22
leave [1] 114:6
led [1] 11:17
left [9] 7:9 21:21 26:14 56:5,9
 65:2 71:22 72:14 87:7
left-hand [1] 33:3
legal [1] 72:12
lengths [1] 18:13
less [3] 71:14 83:1 112:8
lettering [1] 13:16
level [3] 98:6 99:20 101:14
liberty [1] 5:2
life [1] 112:22
lifestyle [1] 112:13
light [12] 9:10,17 13:1,14 14:19
 22:12 24:19 33:9 47:2 63:12 72:
 6 112:3
lights [1] 20:20
limited [3] 56:17 71:19 106:8
limiting [1] 56:12
limits [2] 76:12 95:13
line [3] 37:21 60:8,10 70:2,13 71:
 4 95:18 100:20
lines [1] 16:12
linneman [2] 35:14 91:5
literally [1] 13:7
little [7] 21:4 23:21 62:7 63:15
 78:6,7 94:20
located [2] 15:11 97:13
location [6] 6:13 17:7 31:3 54:
 13 63:12 85:19
long [4] 19:1 53:7 94:19 117:3
long-standing [1] 111:6
look [4] 42:21 45:19 46:18 91:3
looked [2] 24:3 44:22 45:4 46:1
 61:19,20
looking [9] 22:16,19 24:20 25:1
 31:18 41:2 47:21 49:4 63:17
looks [2] 19:11 79:11
loop [2] 23:18 39:3
lose [1] 54:3
lot [1] 25:2
lots [1] 104:12
louder [2] 20:15 48:17
lying [1] 84:4
lynn [1] 57:4

M

ma'am [4] 39:22 41:12,16 50:10
mack [2] 1:18 4:17
made [9] 9:3 12:20 18:19 19:6

23:18 28:18 33:21 103:2 112:9
maintain [2] 26:10 34:17
maintains [1] 95:7
major [2] 77:8 83:3
manager [3] 16:15,20 17:2
manifest [2] 7:20 13:17
many [2] 87:19 91:13
map [3] 30:17,19 31:7
march [4] 117:13,16 118:4,7
marked [10] 4:3 9:18 30:6 43:22
 47:9,18 75:17 78:10 113:6,8
market [2] 112:15,18
married [1] 30:1
mary [2] 1:21 4:22
matter [14] 6:5,15 9:6 11:6,16
 13:18 35:10 75:14 78:21 94:22
 99:22 108:17 118:3,6
mcDonough [3] 76:18 84:18,19
mean [5] 14:17 54:6 69:3 71:10
 109:15
means [3] 36:8 48:1 65:14
meant [1] 74:10
meet [6] 51:5,12 68:18 74:4 98:
 11 104:8
meeting [2] 6:22 52:3
meetings [1] 101:15
meets [7] 68:20,21,22 69:2,3 73:
 12 104:9
member [1] 34:20
mentioned [4] 57:22 91:5 114:
 1,13
met [1] 1:14 30:1 68:14
metra [3] 87:16 88:5 91:14
michael [1] 110:14
might [5] 29:2 46:21 56:8 81:19
 84:5
mile [5] 21:20 79:6,7 82:22 83:1
milepost [1] 4:13
miles [4] 69:16 70:9,10 71:15
minute [1] 45:14
minutes [1] 19:2
mischaracterization [1] 12:8
miss [7] 35:21 38:11 72:18 91:9
 109:22 116:1 117:4
mixed [1] 97:15
mm-hmm [1] 78:8
modification [4] 17:17 28:18
 61:14 100:19
modifications [4] 54:14 80:6,7
 86:19
moment [2] 44:19 45:11
month [1] 29:6
months [2] 112:8 113:1
morning [4] 5:5 10:9 37:4 116:5
most [6] 34:8 60:16 79:11 92:2,
 2 112:21
motion [2] 6:2 8:15
motorist [1] 33:2
move [5] 51:2 58:8 81:3 109:12
 112:19
movement [3] 56:21 85:18 86:
 10
movements [1] 80:22
ms [62] 1:16,21 4:22 7:7 9:19,21
 13:10 14:14,20 28:14 29:2,12
 33:20 35:22 36:3 38:12 43:3,17

44:18 46:20 47:9,12,15,20 48:
 20 57:15 65:9,12 72:3,19 81:17
 82:17 83:5,8,19,21 84:3 86:5
 87:21 89:7,16 90:1,3 91:12 92:
 21 93:7 98:13 100:20 104:6
 105:7,12 106:13 107:14 110:1
 114:5,15 115:6 116:2 117:5,12,
 15 118:2
much [4] 19:10 60:2 74:22 111:
 20
must [3] 14:1,5 86:5

N

name [6] 4:17 5:14 16:8 35:14
 84:17 94:8
named [1] 57:5
narrate [2] 19:7,18
nationally [1] 81:1
nature [8] 17:15 27:6 61:20 84:
 13 85:9 101:6 108:22 113:18
necessary [4] 49:1 50:9 51:12
 68:18 84:1 109:4
need [7] 47:12,14 48:6,7 87:11
 116:7,14
needed [1] 71:11
needs [1] 48:4
neither [1] 10:13
nesters [1] 112:14
never [5] 40:12 42:11 52:20 89:
 19 90:22
new [32] 7:14,22 8:3 10:1,2,21
 11:10 13:18 14:4,8,8,10 21:13
 29:5,11 36:8,13 49:20 54:18,22
 60:11 67:12 70:22 97:11 107:6
 109:9,10,12,15 111:10 115:7,9
newspaper [15] 7:3 29:19 30:2,
 3,7,11 33:13 34:15 35:6 39:10
 40:13 110:8 113:7 114:9,10
next [2] 20:19 77:20
nine [2] 112:8,22
nor [2] 10:15 113:15
north [24] 4:19 6:16 20:19 22:6
 23:20 24:20 28:12 29:17 30:19
 31:12 34:14 40:9,20 54:1 55:21
 57:7 58:5 70:14 71:7,9,10,17
 84:4 87:10
northeast [1] 80:21
northerly [1] 55:15
northwest [1] 20:17
nos [1] 4:2
nothing [2] 59:1 81:18
notice [3] 1:14 7:3 102:2
noticed [1] 28:3
notify [2] 116:15,15
number [2] 3:8 101:3
numeric [1] 31:9
numerous [1] 89:5

O

o'clock [2] 118:2,3
oath [1] 75:13
object [3] 8:1 14:20 89:16
objected [1] 86:6
objection [25] 10:19 15:3 28:14
 29:3 33:20 44:2 71:20 81:17 82:
 17 83:5,19 86:5 87:21 89:7 93:
 5 98:13 100:20 104:6 105:7,19

qualifying [1] 104:12
 qualities [1] 112:6
 question [10] 15:4 26:2 29:14,
 15 58:14 60:12 63:21 66:10 67:
 8 73:19 74:8,10,11 81:6,9,20
 104:11,17
 questioning [1] 100:21
 questions [14] 35:20 57:15 65:
 5,7 72:20,21 88:14 91:7 93:10,
 13,16 109:21 110:1,4

R

railroad [33] 4:8,19 5:8 6:11,12
 8:16 9:4 13:8 16:12,14,17,18
 17:4,14 22:21 30:20 34:13,22
 40:4 64:19 66:8 67:4,7,10 77:6
 80:1 83:4 87:17 88:8,15 95:14
 100:12 114:22
 railroad's [4] 15:10 61:21 87:10
 96:1
 railroads [1] 77:2
 railway [3] 11:3 52:22 53:3
 raise [1] 5:18
 rather [6] 7:16 8:4 9:7 10:17 44:
 20 69:8
 read [3] 53:18 73:9,21
 reading [1] 39:10
 realignment [1] 59:22
 reality [1] 42:11
 really [1] 62:9
 realty [1] 97:8,9 110:18
 reason [6] 12:8,10 63:14,22 67:
 2,9
 reasons [6] 63:19 64:3,6 88:17
 89:18 90:16
 recall [3] 46:8,17 92:19
 receipt [1] 7:8
 receive [1] 99:21
 received [2] 26:22 54:19
 recently [1] 37:3
 recognized [1] 86:18
 recollection [2] 8:17 49:5
 recommend [1] 34:19
 recommendation [2] 34:17 99:
 21
 reconfiguration [2] 51:18 106:
 20
 reconstruct [1] 54:8
 reconstruction [2] 54:22 55:7
 record [24] 6:3,5,6 9:8,15 10:1,6
 12:3,4 14:12,18 16:8 18:7,11,
 17 45:9,17 64:22 89:1,15 94:8
 106:9 109:14 115:9
 recording [3] 18:18,20,21
 records [2] 45:21 95:6
 recross-examination [2] 65:
 10 73:2
 redirect [3] 59:15,17 89:22
 redo [1] 26:2
 redrawn [1] 104:12
 reduced [1] 102:18
 redundancy [1] 88:19
 redundant [3] 66:22 67:11 83:
 18
 reed [23] 21:3 23:19 25:10 26:5,
 19 27:11 28:9,11 29:16 30:1 31:
 4 36:9,14 37:2,14 38:21 39:8,

14,19,20 40:7,12,20
 refer [3] 13:10 92:15 97:1
 reference [1] 33:15
 referenced [3] 25:6 96:10 113:
 14
 referred [1] 23:7 26:19 30:2 35:
 7 59:20 95:19 96:13 98:4 102:
 20 103:13 104:21
 referring [3] 30:4 37:12 102:17
 110:8 111:5
 refers [1] 109:15
 reflect [1] 6:3
 reflecting [1] 110:20
 regard [2] 13:1,5 15:4 24:8 46:
 3 60:12 63:10,11 64:5 72:8,10,
 12 78:21 91:6 95:8 98:4 100:14
 104:20 107:21 111:13 113:14
 regarding [1] 32:10
 regards [2] 88:1 100:11
 regular [1] 117:8
 regulated [1] 22:1
 regulations [1] 4:6
 rehearing [24] 6:2 7:9,10,11,12,
 13,15,16,21 9:22 10:3,17 11:14
 12:9,10 13:11,20 14:1,3,4,7,15,
 16,16
 reiterate [1] 64:21
 relationship [1] 39:8
 relative [6] 42:14 45:1 86:7,9 93:
 2 100:21 115:7 116:12
 relevance [1] 28:14 78:20 82:
 19 83:8 84:5 86:5 87:21 98:13,
 14 105:7 107:14
 relevant [13] 9:6,10 12:6 28:15
 71:3,12 83:19,20,22 84:7 101:6
 104:9 105:8
 rely [1] 72:5
 remain [1] 6:5
 remediation [1] 15:5
 remembers [1] 46:6
 remind [1] 75:12
 removal [1] 64:5
 repairs [1] 91:6
 repeat [2] 29:15 67:8
 rephrase [1] 81:19
 replies [1] 11:19
 reply [1] 11:12
 reporter [1] 19:20
 reports [1] 89:10
 representative [1] 98:7
 representatives [1] 61:1
 representing [1] 5:7
 reproductive [1] 112:6
 request [7] 7:12,12,16,22 10:16
 11:14 12:9,10 116:3
 requests [2] 97:4 98:19
 require [1] 66:9
 required [3] 68:14 102:8 109:11
 requirements [3] 98:12 102:8
 104:5
 requires [1] 73:17
 rerouting [2] 57:10 80:19
 research [1] 51:16
 residences [1] 32:19
 residential [9] 21:9,10 35:2 61:
 20,22 62:13 63:6 97:18 111:9

residents [1] 57:11
 respect [2] 115:6,8
 respectfully [1] 116:3
 response [2] 9:19 117:2
 responsibilities [1] 17:12
 responsible [2] 17:7,13
 restate [1] 36:11
 restrict [1] 56:9
 restriction [1] 86:8
 retained [1] 84:21
 retains [1] 51:5
 retention [1] 73:20
 retired [2] 35:17 112:15
 review [14] 8:7,9 18:6,12,12 21:
 4 46:16 54:19 96:18 104:1,2,3
 116:4,10
 reviewed [5] 46:3,15 47:4 93:2
 103:22
 rezoning [6] 97:5 98:20 104:7,
 11,13,16
 rick [3] 3:4 8:19 12:15 75:3
 ridiculous [1] 112:21
 right-hand [5] 26:15 65:2 71:22
 72:14 87:7
 right-of-way [6] 6:11,12,14 11:
 4 15:11 95:15 96:1 100:12
 right-turn [2] 55:9,13
 rights [1] 72:12
 risk [1] 32:22
 road [260] 4:12 6:11,17 13:13 15:
 11 17:8,8 20:6,11,12,20,21,21,
 22 21:16,18,22 22:1,3,5,5,6,7,
 17,17,22 23:1,5,5,13,17,17 24:
 10,13,22 25:4,5,10,15 26:5,5,11,
 16,16,18,19,21 27:2,3,8,11,12
 28:9,12,17,22 29:17,22 30:1,22,
 22 31:4,11,14,16 32:3,7,10,13
 33:4,9,10 34:6,11,18,18 35:1,3
 36:7,7,8,9,13,13,14,15,16,17,21,
 22 37:2,2,6,8,11,14,20 38:4,13,
 21 39:1,2,3,7,8,14,14,19,20 40:
 2,5,7,10,12,14,15,15,20,21 41:3,
 7,8,9,13,18,18 42:15 47:2,2 48:
 12,22 49:7,16,17 50:4,5,11,12,
 18 51:4,6,15 52:3,4,6,21 53:7
 54:9,11,18 55:10,11,12,14,16,
 21 56:6,17 57:5,8 58:2,3,4,6,8,
 21 59:21 60:3,9,11,13,14 61:15,
 15 62:7,20 63:2,10,11 64:6,11
 65:1,1 67:17 70:4,6,14 71:7,8,
 10 72:1,1,15 76:13,13,16 77:1,4,
 6,7,9 78:17,18,22,22 79:3,4,9,
 10,13,19,20,21 80:4,8 82:21 83:
 18 84:21 85:4,5,6,16,17,18 86:8,
 10,14,15,20 87:6,12 88:16 95:1,
 20,20,22 96:6 100:19 101:13,13
 106:20,22 107:8,10,13,22 108:1,
 2,4,5,7 109:8,10,10,15,16,17
 111:22,22,22
 roads [6] 33:4 34:22 42:8 46:4
 55:18 98:16
 roadway [6] 31:9 36:16,20 37:
 16 39:6 41:4,5,6
 roadways [1] 40:20
 roosevelt [49] 20:6,20,21 23:5,
 13,17 25:5,15 26:11,16 28:17,

21 33:10 37:1 40:5,10,14,15 47:
 2 49:17,20 50:5,12 51:6 52:4
 54:9 55:21 56:17 58:6 60:14 61:
 15 62:20 63:11 65:1 70:4,14 71:
 7 72:1 77:7,9 78:18 79:19,20
 84:21 87:12 101:13 107:13 108:
 1,4
 ross [1] 2:22
 rounded [1] 70:11
 route [46] 23:5 28:13 29:18 30:1
 31:12,19 33:4 34:7,11 37:17 42:
 16 48:22 49:10,14 50:14 53:9,
 12,14 54:2,6,12,14,17 55:1,2,14
 56:4 57:8 58:8,22 59:7,9 64:15,
 17,20 69:20 72:15 77:9 87:6 88:
 21 97:14 107:1,5,16 109:3 113:
 15
 routes [1] 107:16
 routine [1] 63:7
 routing [5] 57:3,9 78:16,18 80:
 20
 rule [1] 73:7
 rules [5] 4:5 13:22 14:21 73:5,
 10
 ruling [3] 10:19 115:7,8
 rulings [1] 113:19
 runs [2] 41:5,6

S

s-h-u-m-a-t-e [1] 4:18
 safer [6] 53:14 64:15,17,20 65:
 16,17
 safest [1] 53:12
 safety [11] 32:22 63:20 64:3,6
 67:14,16,19 68:6,9 73:17 88:1
 same [3] 68:9 78:4 80:3
 saw [40] 4:19 42:13,21 46:6,11,
 19 57:22 62:15
 says [2] 74:1 110:21
 scale [1] 60:5
 scaled [1] 102:18
 scheduled [2] 102:4,5
 school [7] 111:1,7,11,13,15,17,
 18
 schools [1] 111:14
 scratch [1] 89:2
 section [6] 5:8 73:9,13,14,22 74:
 1
 sections [1] 73:12
 see [6] 21:13 22:11,21 24:11 45:
 22 95:19
 seek [1] 68:10
 seeking [2] 114:15,16
 seeks [1] 67:10
 seem [2] 92:19 112:7
 seen [3] 34:5,8 55:4 60:14,16,19,
 21 61:10 112:22
 sees [1] 20:2
 self-guided [1] 18:10
 separation [19] 18:4 20:12 22:
 18 24:14 53:7,11 55:12 56:7 64:
 18 65:14,16 67:1,12 79:9 88:10
 separations [3] 53:8 79:1 81:5
 sequence [3] 20:19 21:5 24:17
 serve [2] 35:1 40:3
 served [2] 73:18 87:16
 serves [1] 99:12

108:2
 trailer [1] 28:4
 train [7] 66:4 67:18 68:22 69:1
 80:20,22 81:2
 trains [1] 81:3
 transcript [2] 117:7,8
 transcripts [1] 53:18
 transition [2] 55:14 56:3
 transportation [9] 4:10 5:8 49:
 2 50:21 59:12 61:2 73:15 77:13
 101:16
 travel [3] 56:3 69:10 73:7
 traveled [1] 26:18
 traveling [2] 21:19 72:13
 traverse [1] 66:3
 tried [1] 8:18
 trip [1] 23:21
 truck [2] 27:18,21
 trucks [6] 25:14 62:15,19,20 63:
 6 64:8
 true [3] 39:4 42:11 106:14
 truly [1] 83:20
 trustees [1] 99:18
 try [2] 12:13 82:6
 trying [4] 22:7 68:4 82:3 86:22
 turn [12] 20:1 33:3 56:5,9,12,
 13 62:19 65:2 71:22 72:14 87:7
 turning [1] 20:22
 turns [1] 26:15
 two [15] 10:10 13:7 18:6 25:6 44:
 16 57:18 64:2 70:3 79:1 80:11
 82:16 83:3 99:16 103:15 107:4
 two-tenths [1] 21:20
 type [3] 38:2 55:4 112:12

U

u-n-f-c-h [1] 94:12
 unable [1] 38:18
 unaware [1] 15:9
 uncertain [1] 108:17
 under [8] 34:22 36:16 59:11 73:
 13 75:12 104:2,4,14
 underneath [7] 24:14 26:5,6 27:
 11 79:17,21,22
 underpass [6] 79:13,14,16,20
 88:8,11
 underpasses [1] 83:7
 understand [7] 36:9 54:7 66:10
 105:15 108:21 112:17 115:10
 understanding [12] 11:22 26:
 13 27:1 48:19 51:4,9 59:2 69:5
 74:7 96:7 98:18 101:20
 union [9] 4:7,18 16:12,13 17:4
 22:20 34:13,14,21 67:6,9 78:19
 79:22 82:6 83:4 87:16 88:18 92:
 6 95:14
 unit [2] 97:6,7
 unless [1] 84:8
 unrealistic [1] 68:5
 untch [12] 3:5 5:14 10:11 44:4,5,
 19,20 50:17 93:21 94:10,13
 110:8
 untchá [1] 94:1
 until [2] 105:13 118:7
 up [25] 6:17 7:11 10:12 13:12 20:
 15 30:1 39:20 57:4 67:2,21 68:
 10,17 70:5,11 73:5 80:22 87:22

88:1 89:19 90:22 92:9 98:22
 100:1 103:15 108:8
 up's [4] 10:16,21 68:6 115:4
 uses [4] 34:16 63:17 97:17 105:
 4
 using [3] 18:15 25:4 64:18
 utilizes [1] 66:12

V

vacant [1] 111:21
 vandalism [2] 89:19,21
 variety [2] 16:19 59:6
 various [6] 16:22 18:13 48:5,6
 83:16 105:3
 vehicle [6] 65:1 67:18 69:2
 vehicles [8] 27:22 64:9 66:3,15,
 17,18 87:10 88:22
 vehicular [1] 68:20
 verbal [1] 12:16
 verification [2] 14:5,6
 verify [1] 33:17
 versus [1] 4:8
 viable [1] 79:11
 vicinity [2] 105:4 107:5
 video [13] 18:19,21 19:1,6,15 25:
 6,9 26:4,18 28:3 29:4,7 61:19
 videotape [3] 19:14 32:7 37:4
 view [3] 38:20 58:12 66:4
 viewed [1] 36:19
 village [1] 96:2
 vis-a-vis [1] 6:19
 visibility [5] 66:2,6 91:22 92:3,5
 visit [4] 17:21 18:7,19 95:3
 visited [1] 18:2
 visitor [1] 56:15
 visitors [1] 57:11
 visual [2] 37:5 38:20
 voice [1] 20:1
 volume [5] 66:8,11,17,19 69:2
 votes [1] 99:3

W

wacker [1] 4:19
 walked [2] 69:18 70:3
 walking [1] 18:12
 wanted [8] 24:2 25:8 56:16,20
 58:16,17 62:19 74:12
 wants [7] 10:6 67:2 71:18 72:4
 86:9,13,14
 way [5] 10:1 19:10,19 42:19 112:
 5
 ways [2] 86:13 104:12
 wednesday [1] 117:16
 weeks [2] 18:6 29:20
 weight [3] 7:20 8:6 13:17
 welding [19] 24:1,5,11,15 25:7,
 7,10,13 26:6,9 28:4 37:9,15 38:
 3,22 39:9 58:2 62:16,19
 west [26] 20:12 23:9 24:18 25:1,
 15 28:2,12 29:17,22 31:14,16
 56:20,21 57:7 59:7 70:6,20 71:
 5,18 76:15 77:5 95:17 108:2,4
 109:7,12
 westbound [1] 23:12
 westerly [1] 26:12
 western [1] 36:22
 whatever [3] 58:7 112:17 117:

20
 wheaton [2] 1:22 5:2
 wheel [1] 69:18
 wheeled [2] 18:16 70:10
 wheeling [1] 18:13
 whereupon [5] 4:1 47:16 115:
 15,19 118:5
 whether [19] 8:10 26:20 28:19
 50:8 54:21 55:6 57:4 82:18 83:
 21 86:7 93:3 98:14 104:8 105:
 10,12,16 108:9 116:7,11
 whole [2] 99:20 112:2
 whom [2] 16:11 94:13
 will [23] 6:5 10:10 21:4 28:21 29:
 11 43:2,12 44:22 53:11 54:3 55:
 7,16,21 56:3 80:10 82:15 83:4
 99:3 101:3 104:17 110:22 112:
 4 113:13
 wisest [1] 51:1
 wish [1] 45:16
 withdraw [1] 104:17
 within [4] 10:16,22 29:6 96:2
 without [3] 38:5 40:7 111:1
 witness [34] 5:14 15:14 16:2 19:
 16 20:4 22:5 23:2 38:10 43:6,
 10,11,12,15,18 45:7,10,13 46:5,
 18 48:18 75:1,6 81:10 93:8,11,
 14,19 94:2 98:21 105:18 107:
 20 109:17 110:2,4
 witnesses [8] 3:2 5:11,19 10:
 10,13,14,15 116:6
 wonderful [1] 83:12
 wondering [1] 110:19
 woodfield [4] 36:21 37:11 39:7,
 21
 work [3] 16:16 61:4 76:20
 working [3] 59:3 80:17 85:1
 works [6] 16:21 17:16,18 34:12
 50:16 80:19
 writing [3] 9:3 12:3,18
 written [2] 8:22 9:2

Y

year [1] 89:5
 years [7] 11:2 13:7 16:19 19:9
 32:21 61:18 94:20
 yesterday [9] 6:8,22 18:5 27:1
 40:19 46:11,19 47:4 116:20
 young [2] 112:6,14
 younger [1] 110:22

Z

zoning [6] 98:11 99:10,12 104:4,
 8,14

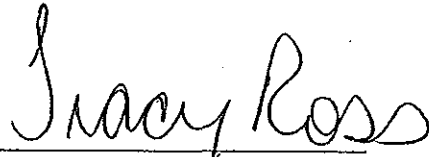
CERTIFICATE OF REPORTER

STATE OF ILLINOIS)
)
COUNTY OF COOK)
)
CASE NO. T01-0040)

TITLE: UNION PACIFIC RAILROAD COMPANY vs.
 THOMSHIP OF GENEVA, et al.

I, Tracy Ross do hereby certify that I am a
court reporter contracted by SULLIVAN REPORTING
COMPANY, of Chicago, Illinois; that I reported in
shorthand the evidence taken and the proceedings
had in the hearing on the above-entitled case on
the January 28 A.D. 2004; that the foregoing 11~~2~~
pages are a true and correct transcript of my
shorthand notes so taken as aforesaid, and
contains all the proceedings directed by the
Commission or other person authorized by it to
conduct the said hearing to be stenographically
reported.

Dated at Chicago, Illinois, this day
February 10 A.D. 2004.



Tracy L. Ross

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MAR 25 2004

**LAW DEPARTMENT
UNION PACIFIC RR CO.**

March 22, 2004

Union Pacific Railroad Company, Petitioner,

Vs.

Township of Geneva, State of Illinois, and Illinois Department of
Transportation, Respondents,

T01-0040

Petition for an order of the Illinois Commerce Commission for the
closure of Old Kirk Road, public grade crossing DOT #174 986H
at Milepost 33.75 on the Geneva Subdivision, City of Geneva,
Geneva Township, Kane County, Illinois.

STAFF BRIEF ON REHEARING

Staff, after review of the evidence presented on rehearing, remains of the opinion that the Old Kirk Road at-grade crossing with the tracks of the Union Pacific Railroad Company ("UP") near Geneva be closed, abolished and barricade to vehicular traffic. The Old Kirk Road at-grade crossing should be provided with barricades conforming to the requirements of 92 Ill. Adm. Code 1535.701 and the pertinent provisions of the Manual on Uniform Traffic Control Devices. The UP should remove the crossing surface and the crossbuck signs at the crossing, and re-establish any ditch line if necessary. The Township should remove the advance warning signs and post "road closed signs".

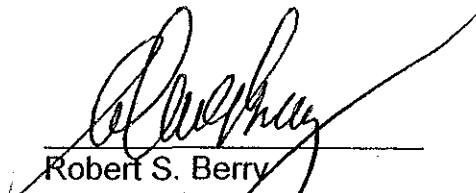
Staff maintains that the safety of the motoring public and train crews is best served by the closure of the Old Kirk Road at-grade crossing, especially considering the location of the Kirk Road highway overpass structure immediately to the west of the Old Kirk Road at-grade crossing. The Old Kirk Road at-grade crossing is one of the busiest crossings not only the Chicago area, but in the State of Illinois. The UP operates 60 passenger trains and 70 plus freight trains over the crossing, some at a very high rate of speed. The average daily vehicular traffic over the crossing varies from day to day depending on whether any events are being held at the Kane County Events Center. It is still staff's opinion that Old Kirk Road is used primarily for a short cut around the traffic signals at the Kirk Road/Roosevelt Road intersection during events at the Kane County Events Center. For visitors leaving the Kane County Events Center, the safest route to take for northbound traffic is new Kirk Road that crosses over the UP track by means of a highway overpass structure, not crossing Kirk Road onto Old Kirk Road to travel northerly or the same direction as a motorist would using the Kirk Road overpass structure.



Testimony shows that local residents and businesses use Old Kirk Road for ingress/egress to their property, with the businesses located primarily north of the UP's tracks. There are right and left turns allowed at the Old Kirk Road/Roosevelt Road (Ill. Rte. 38) intersection and there is no need for heavy truck traffic to process south over the Old Kirk Road/UP crossing through a residential area to Kirk Road. The only reason truck traffic travels south to Kirk Road is that it is easier than turning across Ill. Rte. 38. It is important to reiterate that there are currently both right and left hand turns allowed at the Old Kirk Road/Roosevelt Road intersection.

Once again, the Federal Railroad Administration, the DuPage Railroad Safety Council, the Chicago Commuter Grade Crossing Steering Committee, the Union Pacific Railroad Company, the staff of the Rail Safety Section of the Commission, as well as several residents that live on Old Kirk Road, support the closure of the Old Kirk Road at-grade crossing and that the rerouting of vehicular traffic over the Kirk Road highway overpass structure or onto Ill. Rte. 38 is in the safety interest to vehicular traffic.

The Old Kirk Road at-grade crossing is not needed for the transportation network in the area, but is a hazard to vehicular traffic, especially when there is a highway overpass structure on Kirk Road located immediately to the west of the existing at-grade crossing and that Kirk Road extends in the same direction as Old Kirk Road. The closure of the Old Kirk Road at-grade crossing would be a benefit to the area and not cause great harm to the quality of life in northern Illinois. This is a minor crossing on a minor roadway and there is a safer, alternate route that can be utilized by vehicular traffic, the highway overpass structure on Kirk Road.



Robert S. Berry
Railroad Safety Specialist
Transportation Division

cc:

Mr. Charles Ingersoll, P.E.
Bureau Chief-Local Roads & Streets
Ill. Dept. of Transportation
ATTN: JEFF HARPRING, ROOM 205
2300 South Dirksen Parkway
Springfield, IL 62764

Mr. Mack H. Shumate, Jr.
Union Pacific Railroad Company
101 N. Wacker Dr., Ste. 1920
Chicago, IL 60606

Mr. Jeffrey S. Dailey
Kane County Highway Engineer
41 WO11 Burlington Road
St. Charles, IL 61075

Ms. Barbara E. Olson
Geneva Township Clerk
2202 Gary Lane
Geneva, IL 60134

Ms. Mary E. Dickson
Bond, Dickson & Associates, P.C.
203 E. Liberty Drive
Wheaton, IL 60187

Union Pacific Railroad Company
C T Corporation System
208 South LaSalle Street
Chicago, IL 60604

Mr. Dave McKernan
Union Pacific Railroad Company
210 N. 13th St., Room 1612
St. Louis, MO 63103-2388

Mr. J. Patrick Jaeger
Geneva Township Supervisor
2202 Gary Lane
Geneva, IL 60134

Mr. Richard Nelson
Geneva Township Highway Commissioner
2202 Gary Lane
Geneva, IL 60134